

**LOUISIANA COMMISSION ON LAW ENFORCEMENT AND
ADMINISTRATION OF CRIMINAL JUSTICE**

VICTIM SERVICES ADVISORY BOARD

FEDERAL FORMULA GRANT PROGRAM GUIDELINES

PRIMARY PURPOSE

- A. The primary purpose of the Crime Victims Assistance Formula Grant Program (CVA) supported by the Office for Victims of Crime (OVC), authorized under the Victims of Crime Act of 1984 (VOCA), Public Law 98-473, is to support the provision of services to victims of crime. VOCA requires programs to provide direct services to victims of crime. Priority shall be given to victims of sexual assault, domestic abuse, child abuse, and the previously underserved.
- B. The primary purpose of the S.T.O.P. Violence Against Women Formula Grant Program (STOP), is supported by the Office on Violence Against Women (OVW) and authorized under Title 1 of the Omnibus Crime Control and Safe Streets Act of 1968, first enacted in the Violence Against Women Act of 1994 (VAWA) and then reauthorized in 2000 and 2005. The intent of STOP is the reduction of violence by developing and strengthening effective law enforcement and prosecution strategies to combat crimes against women. Priority shall be given to women who are victims of domestic violence, dating violence, sexual assault, and stalking. This program applies only to crimes against women ages 13 and older.
- C. The primary purpose of the OVW Sexual Assault Services Formula Grant Program (SASP), created by the Office on Violence Against Women (OVW) and the Department of Justice Reauthorization Act of 2005, is to provide intervention, advocacy, accompaniment (e.g., accompanying victims to court, medical facilities, police departments, etc.), support services, and related assistance to adults, youth, and child victims of sexual assault; family and household members of such victims; and those collaterally affected by the victimization (e.g., friends, coworkers, classmates), except for the perpetrator of such victimization.
- D. The State must ensure that the needs of previously Underserved Populations are identified and addressed. Underserved crime victims must be identified by type of crime; however, gaps in available services may be identified by specific demographic profiles, such as those victims defined according to the Department of Justice's VOCA, VAWA, and SASP Federal Registers.

DISTRIBUTION OF FUNDS

- A. Crime Victims Assistance Formula Grant Program (CVA). Each Federal fiscal year's grant award must be allocated, without duplication, to each of the following areas:
 - 1. A minimum of ten percent (10%) to Sexual Assault,
 - 2. A minimum of ten percent (10%) to Domestic Abuse,
 - 3. A minimum of ten percent (10%) to Child Abuse, and
 - 4. A minimum of ten percent (10%) to Previously Underserved Populations.
 - 5. LEPC, LEPD, and CJCC Districts (Law Enforcement Planning Councils or Districts [LEPC, LEPD] and Office of Criminal Justice Coordination Council [CJCC]) must ensure that their allocations meet these minimum percentages.
- B. S.T.O.P. Violence Against Women Formula Grant Program (STOP). Each Federal fiscal year's grant award must be allocated, without duplication, to each of the following areas:
 - 1. A minimum of thirty percent (30%) to Law Enforcement,
 - 2. A minimum of thirty percent (30%) to Prosecution,
 - 3. A minimum of thirty percent (30%) to Victim Services, of which ten percent (10%) must be allocated to culturally specific community-based organizations,
 - 4. A minimum of seven percent (7%) to State and Local Courts, and
 - 5. A minimum of three percent (3%) to discretionary projects, which are determined by the LCLE Executive Director with Commission approval.
- C. OVW Sexual Assault Services Formula Grant Program (SASP) funding must be used to support rape crisis centers and other non-profit, nongovernmental organizations that provide core services, direct intervention, and related assistance to victims of sexual assault. Funds provided through the SASP Formula Grant Program are designed to supplement other funding sources directed at addressing sexual assault on the State level.

ELIGIBLE PROGRAMS

- A. An eligible CVA program must:
 - 1. Be operated by a public agency or non-profit organization; or a combination thereof that provides direct services to crime victims.
 - 2. Promote within the community served coordinated public and private efforts to aid crime victims so that the best interests of the crime victim are served and interagency communication enhanced. Written cooperative agreements signed by all cooperating agencies would satisfy this requirement. Letters of support from cooperating agencies are required.
 - 3. Assist victims in seeking available crime victim compensation benefits.
 - 4. Explain how they will address the issue of encouraging the victims to report to law enforcement.
- B. An eligible STOP program can be any State agency, office or program, unit of local government, public or private non-profit organization, Indian tribal government, non-profit, nongovernmental victim services program, or legal services program that uses the funds for any of the fourteen (14) authorized STOP purpose areas.

- C. The SASP Formula Grant Program emphasizes the establishment, maintenance, and expansion of rape crisis centers and other nonprofit, nongovernmental organizations, such as dual programs addressing domestic violence and sexual assault, for the provision of direct intervention, core services, and related assistance to adult, youth, and child victims of sexual assault.

PROHIBITED PROGRAMS

- A. Federal agencies and in-patient treatment facilities are prohibited through the CVA Program.
- B. There are no prohibited programs through the STOP Program.
- C. Under the SASP Program, grants funds cannot be used to support sexual assault forensic examiner projects or criminal justice activities (e.g., law enforcement, prosecution, courts, or forensic interviews.)

PROGRAM REQUIREMENTS

- A. New applicant agencies that have not yet demonstrated a record of providing services must demonstrate that twenty-five percent (25%) of their overall financial support is from non-federal sources. This is not considered part of the required match.
- B. The following documentation must be provided:
 - 1. Federal Tax Identification Number
 - 2. IRS Form W-9 (Request for Taxpayer Identification and Certification)
 - 3. IRS Form 501C3 (Tax-Exempt Status for Non-Profit Organizations)
 - 4. LCLE Request for Vendor Information
 - 5. DUNS (Data Universal Numbering System) Number
 - 6. CAGE (Commercial and Government Agency) Code
 - 7. SAM (System for Award Management) Number and its Expiration Date
 - 8. Louisiana Secretary of State Nonprofit Corporation Status
- C. All agencies with a private, non-profit, or non-governmental status are required to procure and maintain a surety or dishonesty bond in the amount of the federal funds of each CVA, STOP, and/or SASP award received. LCLE must be clearly named as the beneficiary of the bond.
- D. No diminished support policy is presently in effect for all programs, but the Board will reserve the right to approve a program at a reduced level. This will take into account other projects requesting funding and the past ability of the agency to appropriately expend its award funds. Funding is contingent of funds availability, proper subgrant management, meeting goals and objectives, and meeting all requirements. The Board may make recommendations to the Commission to reduce funding or discontinue funding to those agencies not meeting these requirements.

- E. Appropriate programs will be required to comply with the most current version of the Louisiana Child Protection Act, LRS 15:587.1 and the Adult Protective Services (APS) Law, LRS 15:1501-1511.
- F. CVA, STOP, and SASP programs are subject to non-supplanting provisions.
 - 1. Funds must be used to supplement, not supplant, non-federal funds that would otherwise be available for expenditure.
 - 2. Funds must be used to fund new projects, or expand or enhance existing projects.
 - 3. Funds cannot be used to supplant or replace existing funds already allocated to funding programs.
 - 4. For state and local public agencies, funds may not be used to replace state or local funds that would, in the absence of federal aid, be available or forthcoming for programs to assist victims of crime.
- G. All non-profit, non-governmental agencies providing direct services to victims must meet the minimum requirements of the federally funded program for which an award is requested in order to submit an application for funding.
- H. In addition to the requirements of the federally funded program, non-profit agencies who are members of the state's coalitions, Louisiana Coalition Against Domestic Violence (LCADV) and/or the Louisiana Foundation Against Sexual Assault (LaFASA), must meet the applicable program standards adopted by their respective state coalition.
- I. Programs must maintain a profile of the victims served and provide an assessment of the effectiveness of the activities funded by the subgrant.
- J. All projects are required to be twelve (12) month projects; however, training projects are exempt from this requirement.
- K. All reporting requirements established by LCLE must be followed.
- L. The two state coalitions, LCADV and LaFASA, will provide monitoring assistance to LCLE, as appropriate.

APPLICATION REVIEW

- A. CVA funds will be distributed on a formula basis to each of the state's eight LEPC, LEPD, and CJCC Districts, as well as directly to state-level projects under supervision of the LCLE Victim Services Program Manager. The LEPC, LEPD, and CJCC Districts must advertise the availability of funds in the official newspaper(s) in the parishes in their district at least one week prior to the district meetings. Verification of the publication must be attached to their allocation plan when submitting to LCLE.

- B. STOP funds will be distributed on a formula basis as follows:
1. Each of the state's eight LEPC, LEPD, and CJCC Districts will distribute STOP funds to law enforcement and prosecution agencies. The LEPC, LEPD, and CJCC Districts must advertise the availability of funds in the official newspaper(s) in the parishes in their district at least one week prior to the district meetings. Verification of the publication must be attached to their allocation plan when submitting to LCLE.
 2. Each of the two state coalitions, LCADV and LaFASA, will distribute STOP funds to non-profit agencies in their respective memberships. The proposed distribution of STOP funds by LCADV and LaFASA must be reviewed and approved by the Executive Director of the LCLE. This step in the approval process is based on the OVW advising LCLE that while it is OVW's preference that an agency be a member of a coalition, it is not an OVW requirement.
 3. LCLE will distribute STOP funds to local courts, discretionary, and culturally-specific programs under supervision of the LCLE Victim Services Program Manager.
- C. SASP funds will be distributed by LCLE to rape crisis centers and other nonprofit, non-governmental organizations, such as dual programs addressing domestic violence and sexual assault under supervision of the LCLE Victim Services Program Manager.
- D. All applications and special conditions submitted for funding shall be reviewed by the Victim Services Advisory Board and submitted to the full Commission for approval or denial.
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MATCH REQUIREMENTS

- A. CVA-funded programs require a twenty percent (20%) match and must be provided from resources other than Federal funds, with the exception of Native American tribes/organizations. Indian tribes are required to provide a five percent (5%) match. Matching funds may be in the form of cash, in-kind services, or a combination of both.
- B. STOP-funded programs require a twenty-five percent (25%) match and must be provided from resources other than Federal funds, except any subgrant made for any tribe, territory, or nonprofit victim service provider. [The Violence Against Women and Department of Justice Reauthorization Act of 2005, Public Law 109-1652, as amended, specifically, 42 U.S.C. 13925 (b) (1).]. However, if OVW does not provide a match waiver for the twenty-five percent (25%) match required of the nonprofit agencies, the percentages of match required of law enforcement, prosecution, and courts will be adjusted to obtain the match on the full award amount required of the State. Matching funds may be in the form of cash, in-kind services, or a combination of both.
- C. SASP-funded programs are not required to provide matching funds, but applicants are encouraged to maximize the impact of Federal dollars by contributing to the costs of their projects. Supplemental contributions may be in cash, in-kind services, or a combination of both.

- D. If volunteers are used as in-kind match for either CVA or STOP projects, their duties must directly relate to the focus of the program. The value of volunteer hours used as match is limited to \$15.00 an hour. In the case of certain professionals, such as licensed or certified therapists, attorneys, doctors, or law enforcement officers, the value of donated time can be counted at a rate consistent with their usual and customary charges for like services, not to exceed \$100 per hour, as long as the service is allowed by Federal regulation.
- E. Documentation must be kept on file listing name of volunteer, number of hours contributed, dates, value of volunteer hours, and type(s) of donated services provided.

VOLUNTEERS

- A. CVA programs must utilize volunteers in some capacity; however, a written request may be submitted to LCLE with the application requesting a waiver of this requirement.
- B. STOP programs do not require the utilization of volunteers, but volunteer services are allowable.
- C. SASP programs do not require the utilization of volunteers, but volunteer services are allowable.
- D. Volunteer services must be documented and, to the extent feasible, supported by the same assessment methods used by the recipient agency for its own employees.
- E. Duties and functions performed by volunteers and the number of volunteer hours per duty/function must be documented to support those estimated in the application as in-kind match and must directly relate to the focus of the program.

PERSONNEL

- A. Salary rates to be comparable with salaries of similar jobs in region served by the project.
- B. The percentage of time personnel devotes to project must be shown.
- C. A job description is to be provided for each position, giving description of work expected to be performed, level of education and work experience required for hire and salary range.
- D. A resume listing qualifications, i.e., education and work experience, is to be provided for each position.
 - 1. Qualifications must meet those established for the particular position and/or comparable to existing positions in funded subgrants.
 - 2. Qualifications to be at a minimum level to perform duties described and in line with salary rate established.

- E. Retroactive pay increases are unallowable. Agencies should have written policy to provide pay raises or merit raises to both subgrant and non-subgrant personnel. Pay raises or merit increases should be budgeted in their application. Applicant agencies cannot request pay raises or merit increases after the award has been issued.
- F. Dual compensation is not permitted.
- G. Time and attendance records are to be maintained on a current basis.
- H. Administrative costs for CVA projects only:
 - 1. Supervision of direct providers is allowable not to exceed ten percent (10%) of the supervisor's salary only to the extent that documentation is provided to show that such supervision is necessary and essential to providing direct services to victims of crime.
 - 2. With justification as to need, pro-rated administrative time to complete CVA required time and attendance sheets and programmatic documentation, reports, and statistics and administrative time to maintain crime victims' records is allowable not to exceed (10%) of subgrant funds.

FRINGE BENEFITS

- A. Fringe benefits are applied only to employer's share of benefits for those salaries funded.
- B. Refer to the CVA, STOP, and SASP application instructions, Federal Registers, OJP Financial Guidelines, OVW Grants Financial Management Division Guidelines, OMB Circulars, and LCLE policies for the types of fringe benefits allowable.
- C. Only Social Security (F.I.C.A.) or one bona fide retirement plan is eligible.
- D. Fringe benefits are not to exceed thirty percent (30%) of the total salary charged to the project.
- E. In the absence of fringe benefits budgeted when salaries for subgrant personnel are included in the application, these benefits are to be supported with local funds. Documentation to this effect must be clearly indicated in the fringe benefits budget section with an explanation included in the personnel section of the application.

TRAVEL

- A. The agency should have an established travel policy. In the absence of such a policy, all travel expenditures will be based on current Louisiana State Travel Regulations. For agencies with travel policies, subgrant funded reimbursements cannot exceed Louisiana State Travel Regulations. The stricter policy prevails.

- B. For travel and training allowable costs, refer to the CVA, STOP, and SASP application instructions, Federal Registers, OJP Financial Guidelines, OVW Grants Financial Management Division Guidelines, OMB Circulars, and LCLE policies.
 - 1. Approved statewide travel will be reimbursed at 100% of costs.
 - 2. Approved out-of-state travel will be reimbursed at 50% of costs.
 - 3. Must have prior approval from LCLE staff to attend.

EQUIPMENT

- A. Distinguish between equipment and supplies. An equipment item is any item, regardless of cost, that has a life expectancy of two or more years and is not consumable.
- B. Competitive procurement must be utilized. The agency must obtain three bids or quotes in writing and maintain such on file.
- C. Sole Source procurement of equipment of only a specific brand name and/or manufacturer must receive prior approval from the Victim Services Advisory Board. Such a request requires the submittal of a Sole Source Justification, which is available at the LCLE website, www.lcle.la.gov. The completed form must be submitted to the LCLE Victim Services Program Manager.
- D. Sole Source procurement of equipment over \$100,000 must receive prior approval from OJP or OVW, depending on the federal source of funding. Such a request requires the submittal of a Sole Source Justification form, which is available at the LCLE website, www.lcle.la.gov. The completed form must be submitted to the LCLE Victim Services Program Manager.
- E. Equipment and cost of equipment to be reviewed in terms of project needs and justification.
- F. Office furniture may be purchased for each position funded and is limited to \$3,500. Continuation programs may replace furniture with prior justification and documentation to LCLE of condition and purchase or acquisition date.
- G. Audiovisual equipment is limited to \$3,500 per program unless justification for additional funds is approved.
- H. Telephones purchased shall be limited to standard models unless justification for enhanced models is approved.
- I. Records maintained for equipment and/or furniture are to be evidenced by signed and dated invoice(s). An LCLE Equipment Inventory/Assurance form must also be submitted with each expenditure report that an equipment and/or furniture expense is reported. The inventory form should be kept current and must be cumulative throughout the project period. Reimbursement for equipment and/or furniture will not be approved without the submission of the Equipment Inventory Listing form. The Assurance section of this form must be signed by the Project Director. Total cost of equipment and/or furniture allocated to project must equal expenditures reported. This form is available at the LCLE website, www.lcle.la.gov. The completed form must be submitted to the LCLE Victim Services Program Manager.

- J. All equipment must be tagged and proper inventory controls established.
- K. When acquiring replacement equipment, subgrantees may use the equipment to be replaced as a trade-in or sell the equipment and use the proceeds to offset the cost of the replacement equipment, subject to the written approval of the awarding agency.
- L. Other equipment will be considered on a case-by-case basis in accordance with most recent CVA, STOP, and SASP Federal Registers, OJP Financial Guidelines, OVW Grants Financial Management Division Guidelines, OMB Circulars, and LCLE policies.

SUPPLIES

- A. Distinguish between supplies and equipment. Supply items are those that by nature are used up or are consumable or have a life expectancy less than two years.
- B. Office supplies must be limited to projects where it can be shown that such supplies are an integral part of the program. If supplies requested exceed a standard “basic supply allowance” of \$50 a month or \$600 a year, the applicant agency is required to provide a breakdown of supplies requested listing each type of supply by providing the quantity, unit price and total price of each with the application. Tax and shipping costs are allowed, if applicable.
- C. Refer to the most current CVA, STOP, and SASP Federal Registers, OJP Financial Guidelines, OVW Grants Financial Management Division Guidelines, OMB Circulars, LCLE policies, and applicable application instructions for allowable types of supplies.

CONTRACTUAL SERVICES

- A. Funds may only be used to support services not feasibly provided by the agency and may not be used for contracted services which contain administrative overhead or indirect costs.
- B. Consultants may not be used to perform services ordinarily accomplished by existing personnel. Consultant contracts and agreements must receive approval from the Victim Services Advisory Board and LCLE prior to release of funds.
- C. The most current LCLE standard contract form must be used, which is available at the LCLE website, www.lcle.la.gov. A copy of the completed contract must be submitted to the Victim Services Program Manager.
- D. Rate of compensation must be reasonable and consistent with that paid for similar services and must be in compliance with OMB Cost Principles. Written documentation may be necessary on a case-by-case basis.
- E. Contractual agreement is to contain a detailed description of work to be performed.

- F. Consultant rates for CVA projects should be in accordance with the OJP Financial Guide. Current rate is a maximum of \$450 for an eight-hour day or \$56.25 per hour. If rates exceed that amount, justification shall be in the form of two (2) paid receipts or invoices for prior comparable services from two (2) other sources.
- G. Consultant rates for STOP projects should be in accordance with the OVW Grants Financial Management Division Guidelines. Current rate is a maximum of \$650 for an eight-hour day or \$81.25 per hour. If rates exceed that amount, justification shall be in the form of two (2) paid receipts or invoices for prior comparable services from two (2) other sources.
- H. Consultant rates for SASP projects in excess of \$650 per day require approval from the OVW Director and are strongly discouraged.
- I. Procurement of contractual services over \$100,000 must receive prior approval from OJP or OVW, depending on the federal source of funding. Such a request requires the submittal of a Sole Source Justification form, which is available at the LCLE website, www.lcle.la.gov. The request must be submitted to the LCLE Victim Services Program Manager.
- J. Procurement of contractual services of \$100,000 and below must receive prior approval from the Victim Services Advisory Board. Such a request requires the submittal of a Sole Source Justification form, which is available at the LCLE website, www.lcle.la.gov. The request must be submitted to the LCLE Victim Services Program Manager.
- K. Procurement of contractual services of a specifically named contractor or consultant must receive prior approval from the Victim Services Advisory Board. Such a request requires the submittal of a Sole Source Justification form, which is available at the LCLE website, www.lcle.la.gov. The request must be submitted to the LCLE Victim Services Program Manager.
- L. Refer to the most current CVA, STOP, and SASP Federal Registers, OJP Financial Guidelines, OVW Grants Financial Management Division Guidelines, OMB Circulars, LCLE policies regarding policies governing consultants.

OTHER DIRECT COSTS

A. Audit Costs:

1. Agencies must comply with OMB Circular A-133, as appropriate.
2. The percentage of costs charged to Federal awards for a single audit shall not exceed the percentage derived by dividing Federal funds expended by total funds expended by the agency (including match) during the last fiscal year.
3. If an agency expends \$500,000 or more a year in Federal awards, an audit is required. A pro-rata share to conduct the audit can be charged to each Federal subgrant.

B. Printing:

All printed material must bear a prominent statement to the effect that “This project was supported by [subgrant identification number] awarded by the Louisiana Commission on Law Enforcement through the [(Office for Victims of Crime) or (Office on Violence Against Women) through the Office of Justice Programs (OJP)].”

C. Advertising:

Subgrant funds limited to newspaper advertising; costs limited to two percent (2%) of subgrant funds or \$500, whichever is less. Television, radio, and billboard costs are prohibited. Agencies are encouraged to use Public Service Announcements.

D. Other Costs:

Refer to the most current CVA, STOP, and SASP Federal Registers, OJP Financial Guidelines, OVW Grants Financial Management Division Guidelines, OMB Circulars, LCLE policies for allowable other direct costs.

TRAININGS

- A. Any law enforcement training must meet the standards and curriculum requirements of the Peace Officer Standards and Training Council (POST), as appropriate.
- B. Training is eligible for CVA, STOP, and SASP funded projects for those persons (salaried or volunteer staff) who provide direct services to crime victims. Funds may only be used to attend training programs that improve the skills of service providers in meeting the needs of crime victims. Management training aimed at persons who do not provide direct services is not eligible for support.
- C. In-Service Training: Travel and per diem for trainer will be reimbursed at 100% based on the current Louisiana State Travel Regulations, provided training is direct service training to staff or volunteers (CVA) or related to the program purpose area (STOP). A copy of the training curriculum must be provided to LCLE.
- D. Scholarships to attend CVA- or STOP-funded trainings must be provided to professional, salaried persons who provide direct services to crime victims. The scholarships may cover only mileage and lodging expenses for those attendees traveling a distance of fifty (50) miles or more to the training location. Total funding set aside for scholarships must be equitably divided among law enforcement, prosecution, court, and victim services personnel whenever possible. However, if residual funding from a particular funded discipline is to be used to provide scholarships, these particular scholarships are to be provided to those professional, salaried persons who provide direct services to crime victims in same discipline.
- E. CVA funds may not be used solely to support a training activity or program; however, STOP funds may do so.

- F. SASP funds may not be used to fund generalized statewide sexual assault training or training of allied professionals (e.g., law enforcement, social service agencies, or prosecutors) or curriculum development that is not directly linked to the provision of direct sexual assault services.

PROGRAM INCOME

- A. Subgrantees earning program income must comply with the current federal and state program income guidelines.
- B. Current guidelines are available at the LCLE website, www.lcle.la.gov.

GENERAL RESTRICTIONS

- A. Subgrantees must comply with most current CVA, STOP, and SASP Federal Registers, OJP Financial Guidelines, OVW Grants Financial Management Division Guidelines, OMB Circulars, LCLE policies regarding restricted items.
- B. Construction and renovation costs are unallowable CVA costs; however, minor renovations that make victim services more accessible to persons with disabilities are limited. Refer to the most current OJP Financial Guidelines.

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